



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

MAR 14 2014

REPLY TO THE ATTENTION OF:

WU-16J

Ms. Jana D. Mathieu
P.O. Box 232
Marquette, Michigan 49855

Re: Freedom of Information Act (FOIA)
Identification No. EPA-R5-2014-003542

Dear Ms. Mathieu:

This letter responds to your Freedom of Information Act (FOIA) request dated February 5, 2014. You requested six specific types of information from the U.S. Environmental Protection Agency:

- a) Communications between EPA and the Michigan Department of Environmental Quality related to the Michigan Natural Resources and Environmental Protection Act, Part 632;
- b) Communications between EPA and the Nuclear Regulatory Commission related to mining activities in Michigan;
- c) Reports related to certain epidemiological studies;
- d) Documents related to Underground Injection Control (UIC) permitting at the Eagle Mine;
- e) Documents related to Class V wells at the Eagle Mine; and
- f) Documents related to enforcement of the Safe Drinking Water Act at the Eagle Mine.

This is the UIC Branch's response to your request. We have no information that is responsive to the items a, b, c or f on your list. Dr. Stephen Roy of the UIC Branch talked to you on February 13, 2014 about the availability of documents responsive to the items d and e on your list that are available on the EPA website and provided the URL (<http://epa.gov/region5/water/uic/kennecott>) where they can be found.

Regarding items d and e, EPA never proposed a permit for Eagle Mine. Kennecott Eagle Minerals applied for a Class V permit for the Treated Water Infiltration System but withdrew its application on March 24, 2010 after the system was re-designed and was no longer regulated as an underground injection well. All documents related to this process are on the website. The large capacity septic system is the only UIC-regulated facility at Eagle Mine. This Class V well is rule-authorized, which means that a permit is not required for operation. The facility has been redesigned such the mine backfill wells that the company initially proposed will not be constructed.

EPA emailed and called you to find out if the documents on the website met your needs. Because you did not respond that you wished additional documents, we believe we have satisfied your FOIA request.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, Records, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W., (2822T), Washington, D.C. 20460, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal

service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W. Room 6416J, Washington, D.C., 20001. The appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the identification number EPA-R5-2014-003542 as listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Since the cost of processing your request was less than \$14.00, there is no charge.

If you have further questions regarding your FOIA request, please contact Dr. Roy at (312) 886-6556 or roy.stephen@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen M. Jann", with a stylized flourish at the end.

Stephen M. Jann, Chief
Underground Injection Control Branch